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AZERBAIJAN

Many events in 2008 impacted the development and performance of the media sector. Presidential elections in November did not leave much of a role for the Azerbaijani media to play, as the outcome was widely predicted. Television debates, organized by Public Television, were weak in content and looked like free airtime rather than a real debate. The moderator did not ask questions and acted as a timekeeper. The president did not participate in the debates.

The National Television and Radio Council (NTRC) stopped RFE/RL, VOA and BBC broadcasts on Azerbaijan's FM frequencies. NTRC said it was in order to bring Azerbaijan's legislation in compliance with international standards. Independent observers said the move was politically motivated.

Legal changes also affected the media. Independent experts expressed concern over proposed new amendments to the constitution to be decided by national Referendum. They said new amendments to the Privacy Act, specifically prior consent for video and photo recordings, could lead to increased pressure on media. In August 2008, President Ilham Aliyev signed two Decrees on Support for Media. The first appropriated AZN 5,000 to all regularly published newspapers and was welcomed by all its recipients. Some, however, said that real support would be to create conditions allowing media to prosper. Another decree laid out a "Concept for Support of Media," which envisions creation of a Media Foundation that would lead efforts to support media initiatives. As of February 2009 little was known about this foundation's draft charter and who would serve as its leadership.

The journalism profession is not an easy one. Journalism is still perceived as a dangerous profession, given that three journalists, two of whom are prominent editors-in-chief, are currently serving prison sentences. Further, according to panelists, attacks against journalists and impunity of their perpetrators causes self-censorship among journalists. Fewer students enroll in journalism programs compared to a peak in 1991 when Azerbaijan became independent.

The government's interaction with critical media outlets is minimal, and it does not respond to their criticisms. Government officials prefer short stand-ups versus challenging interviews. Public occasions, such as anniversaries of events, are among the few occasions when journalists can approach officials with questions.

Panel discussions also revealed that editorial independence and objectivity remained the greatest challenge for media outlets, which are not financially independent. Selective distribution of advertisements remained a major problem for development. Independent editors claim that businessmen fear retaliation for placing advertisements in media that are not government controlled or friendly to the government.

# AZERBAIJAN AT A GLANCE

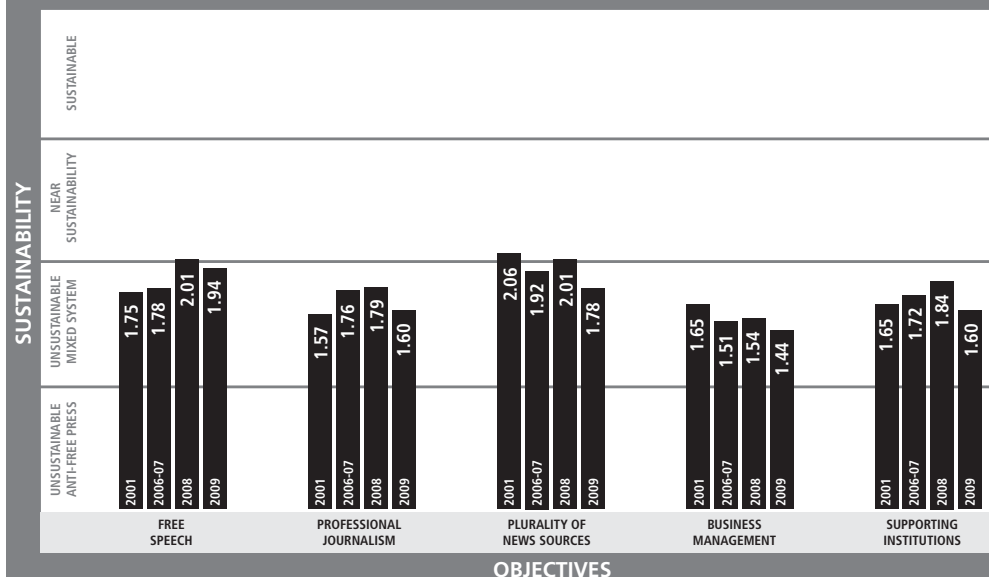
## GENERAL

- > **Population:** 8,177,717 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Baku
- > **Ethnic groups (% of population):** Azeri 90.6%, Dagestani 2.2%, Russian 1.8%, Armenian 1.5%, other 3.9% (1999 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 93.4%, Russian Orthodox 2.5%, Armenian Orthodox 2.3%, other 1.8% (1995 est., *CIA World Factbook*)
- > **Languages (% of population):** Azerbaijani (Azeri) 90.3%, Lezgi 2.2%, Russian 1.8%, Armenian 1.5%, other 3.3%, unspecified 1% (1999 census, *CIA World Factbook*)
- > **GNI (2007-Atlas):** \$21.87 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$6,260 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 98.8% (male 99.5%, female 98.2%) (1999 census, *CIA World Factbook*)
- > **President or top authority:** President Ilham Aliyev (since October 31, 2003)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 32 dailies, 45 weeklies, 85 monthlies; Radio: 10 AM, 17 FM; Television Stations: 17 (7 in Baku, 10 regional)
- > **Newspaper circulation statistics:** Most widely read publication is the opposition newspaper *Yeni Musavat*
- > **Broadcast ratings:** Top three television stations: ANS-TV (news), Azad TV (entertainment), AZTV (formerly state-owned) (AGB/Nielsen)
- > **News agencies:** Turan, Trend, APA, Day.Az., Azertac.
- > **Annual advertising revenue in media sector:** Newspaper: \$500,000; Television: \$30 million; Radio: minor
- > **Internet usage:** 1,036,000 (2007 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: AZERBAIJAN



Annual scores for 2002 through 2005 are available online at [http://www.irex.org/programs/MSI\\_EUR/archive.asp](http://www.irex.org/programs/MSI_EUR/archive.asp)

### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

Azerbaijan's overall score fell by 0.17 compared to last year, and all objectives suffered a similar fate. Objective 4, Business Management, received the worst score at 1.44. However, scores for Objective 2, Professional Journalism, and Objective 5, Supporting Institutions, fell the most compared to last year, at 0.23 and 0.24 respectively; both ended up with a score of 1.60.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Azerbaijan Objective Score: 1.94

The score for this objective slipped slightly from last year, from 2.01 to 1.94, primarily due to drops in Indicators 7 and 8, access to information and media's access to foreign news sources. Overall, most of the indicators scored close to the overall objective score. However, there were a number of exceptions: Indicators 8 (despite the lower score compared to last year) and 9, free entry into the journalism profession both scored between three-quarters of a point and a full point higher; Indicators 4 and 6, crimes against journalists and libel laws, both scored about three-quarters of a point lower.

Panelists stressed that legal protections of free speech exist but as with past years, implementation is often problematic and inconsistent to the point that, in reality, it is severely curtailed.

Panelists also noted that journalists are being imprisoned on charges not related to their work in what appears to be a recent trend. Eynulla Fatullayev, a critical journalist and editor-in-chief of *Realniy Azerbaijan* newspaper remained in custody on charges of terrorism, inspiring national hatred, and tax evasion. The editor-in-chief of a major opposition newspaper, Ganimat Zahid, as well as his journalist brother Zahid Sakit, also remained in custody, arrested on charges of hooliganism despite several presidential decrees that pardoned a number of prisoners. All three cases were seen as largely politically motivated to stop government criticism in media.

Shakir Agayev, editor-in-chief of *Novoye Vremya* newspaper, said that in the streets of Baku hooliganism is committed every day and police officers try to investigate, but everybody knows why Ganimat Zahid is behind bars. "Every day, when we leave home for work, we think we may be attacked, or imprisoned, or accused of libel. There is no guarantee for journalists," he said.

Agayev considered that one of the reasons for government impunity is the absence of independent courts. "For instance, you want to defend your rights in the court. But the court

does not have the power to freely come to a decision. It receives an order that the newspaper or a journalist should be 'neutralized.' If courts were independent, the laws would be implemented." Maqсад Nur executive director of Region TV, disagreed, saying that judicial independence improved considerably since the 1990s, when Azerbaijan had just received its independence and had to fight to defend its territorial integrity.

The public does not mobilize in support of media rights when they are abused. RFE/RL, VOA, and BBC listeners only complained in private that the only radio broadcasts they used to listen to were off the air. Popular Turkish TV series were stopped on January 1, 2009, which caused another wave of confusion among viewers. Panelists felt that the seeming apathy among citizens is a sign of their apparent hopelessness and inability to improve the situation.

Several developments in the area of free speech and free media occurred in 2008. Following presidential elections in November, a group of pro-government parliamentarians suggested lifting the presidential term limits (currently two terms) and called for a national referendum on this and some 42 amendments to the constitution. Media activists fear that if these are adopted that new restrictions on free speech and media would emerge. Of particular concern was the proposed amendment to the Article 32, the Privacy Act, which would restrict the right of journalists to take photographs and video recordings. If adopted, journalists would be required to receive consent to record and release information.

Shahbaz Khuduoglu, director of Chap Evi Publishing House, called it "unfortunate" that the amendment does not require that people engaged in public and political activities demonstrate more tolerance to criticism. At the same time, he said that the public itself also is not ready for private revelations about government officials. Alasgar Mammadli, an IREX lawyer, also expressed concern. He said the absence of a detailed definition of what privacy is might lead to unjustified prosecution of the media. In a television debate with parliamentarian Aydin Mirzazade, Mammadli argued that a separate article was needed to cover public figures. The parliamentarian told the audience on independent ANS TV that application of such an article would be a discrimination against public figures.

The panelists saw licensing of broadcast media as political. According to Mammadli, "Decisions of the NTRC have never been based on legal requirements." In recent years, pro-government ATV paid AZN 110 for its annual license, whereas independent ANS TV was required to pay AZN 33,000 for the its renewal of its television, radio, and affiliate licenses. The government raised license fees after its preferred stations had been granted theirs. Mammadli also recalled that

in the another case of inconsistency, pro-government STV channel in the Skeki region “won” a tender in the absence of other contenders, whereas ANS TV’s tender was pronounced invalid because of the absence of competitors. Mammadli said the new fee of AZN 11,000 for a national license is also an issue of concern, as it was overpriced for regional television stations (there is no separate, less expensive class of license for regional television broadcasters), whose advertising revenues are limited.

NTRC also tried, unsuccessfully, to control Internet content. When the Internet news agency Day.az started its Internet radio and APA news agency began putting video content on its web site, NTRC called a meeting with the heads of Day,az, APA news agency, and others. NTRC chairman Nurshirevan Maharramli claimed that because Day.az radio and APA’s video are essentially “broadcasting” information, they should be licensed and, in fact, have to compete for such a license. The issue received wide media coverage and raised concerns that the government was trying to control the Internet. The issue eventually died down with no resolution.

In 2008 the government launched a “single window” business registration system, as suggested by the World Bank. The process has significantly simplified the registration process, with a maximum two working days required for registration of commercial entities, including newspapers and magazines. Registration of television and radio remained problematic, however.

**LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.**

**FREE-SPEECH INDICATORS:**

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Although the tax system itself is not a problem for media outlets, the Ministry of Taxes is used as an enforcer by the government. Even if the entity being examined has nothing to hide, the threat of an audit is enough to serve as pressure on critics of the government.

The government’s record of prosecuting crimes against journalists remains poor. Investigations into the murder of the editor-in-chief of *Monitor* magazine Elmar Huseynov in 2005 have not yielded results. Huseynov had a history of several imprisonments and lawsuits with government officials.

The government failed to prosecute and punish perpetrators of violent attacks on opposition journalist Agil Khalil, who sustained a deep chest wound after being stabbed with a knife on March 13. Instead, the government launched a smear campaign against the journalist and claimed that his “gay partners” attacked him. All five pro-government television companies broadcast an interrogation of a man who “admitted” that he stabbed the journalist on the grounds of jealousy. The 25-year-old journalist, who survived the attacks on his life, continues to write for *Azadlig* newspaper after having emigrated to France.

Official media enjoy certain privileges and there is no effective legal guarantee of editorial independence of state media. For example, Parliamentary sessions can be recorded only by the parliament’s own television while all other television channel cameras must record from the back of the chamber. This results in shots of the backs of speaking parliamentarians’ heads. The *Azərbaycan* newspaper, which is an official organ of the Parliament, continued its favorable coverage of the government.

Despite efforts by civil society and the international community, libel is still a criminal offense and journalists can be imprisoned for defamatory writing. In 2008 state officials continued to enjoy preferential treatment before courts, as none of the libel cases against journalists concluded with the latter’s victory. In the absence of an independent judiciary, this often results in self-censorship among journalists and editors.

Officially, all citizens of Azerbaijan have access to public information. However, very few citizens enjoy this access. Furthermore, it is apparent that not all government agencies are aware of their obligation to provide information. The opposition media have difficulty getting the information they require to inform their audience. Panelists noted that the Foreign Affairs Ministry and, to a lesser degree, the Natural Recourses and Ecology Ministry are often better about releasing information. But, they said, the Ministry of Defense is a particular problem. In fact, public press interviews by defense officials are so rare that Minister Safar Abiyev’s exclusive interview, after years of silence, with ANS

TV's weekly analytical program, was perceived in the press as evidence of an improper business relationship between the two. ANS TV filed a libel suit against *Yeni Musavat* newspaper, which published the accusations, and the court case continues.

There is no law that prohibits Azerbaijan's media from citing foreign sources. However, the government's ban on foreign broadcasters made doing so slightly more difficult. Further, it cast doubt on the future ability of media to freely cite such sources; as it is, frequently citing foreign reports critical of the government is likely to result in some form of retaliation against the offending media outlet.

Panelists agreed that entry into the journalism profession and general accreditation is free, but discrimination is nonetheless widespread. For example, only two pro-government media (AzTV and Azertac news agency) are allowed to cover events in the President's office. No opposition media, including the popular *Yeni Musavat* and *Azadlig* newspapers have accreditation with the president's office.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Azerbaijan Objective Score: 1.60

Objective 2 suffered a moderate loss of 0.19 compared to last year driven by lower scores in Indicators 2, 4, 6, and 8. None of the indicators scored particularly better or worse than the overall score, with the exception of Indicator 7, facilities and equipment, which scored about a half point higher than the overall objective score.

True professional journalism remains rare in Azerbaijan, which partly contributes to a large number of lawsuits against media. A limited number of media outlets enjoy a credible reputation: *Zerkalo* and *Ekho* newspapers and ANS TV and to some extent Public Television. Maqsd Nur expressed concern over the level of professionalism of Azerbaijani journalists, which in his view, worsened since independence. Rovshan Hacıbəyli, editor at *Azadlig* newspaper, said that serious problems with professionalism are partly due to journalists' own shortcomings, such as not checking for accuracy, but also, and most importantly, difficulties accessing information. "It is very difficult to obtain information from government organizations and often we are forced to print information without providing the other side's story." He recalled that whenever their correspondent based on the border with Armenia reports that the ceasefire has been violated, attempts to confirm it with the Defense Ministry fail. In his opinion it causes a considerable delay in reporting news. Shakir Ağayev agreed that there is difficulty getting

the Defense Ministry's comment. "We had information about crimes committed in 2008. We wanted to publish this report, but my editor advised against it in order not to have problems with the Ministry."

Maqsd Nur said one of the reasons why journalists fail to live up to professional standards is the fact that it became very easy to become a journalist. "A seller of potatoes may become a journalist," he said. Tahir Mammadov, head of Public TV and Radio's Public Relations Department, said another contributor to "bad journalism" was the fact that some journalists are implementing someone's orders. "Even in pro-opposition media one can see articles prepared on the order of party officials."

Regarding ethics, all media share a single Journalism Code. However, Shahbaz Khuduoglu spoke for the group when he noted that, "Journalists who follow journalism ethics can be counted by finger." The Women's Media Watch in 2008 launched a campaign calling for all media outlets to develop their own guidebook for journalists. Independent ANS TV has long had its own Guidebook, which is mandatory reading for all new employees.

However, problems with journalism ethics are often seen at senior levels. Editors spin articles in order to strengthen a political message and make it sound sensational. It is particularly obvious when the body of an article does not match sensational headlines, or when the same agency's news story appeared with conflicting headlines in various newspapers.

Self-censorship in media organizations has emerged as a result of a large number of libel suits, attacks against journalists, and impunity with regard to crimes against media. Hacıbəyli recalled that in the Soviet era a newspaper could

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

be published with a blank spot; one could see that the censor did not authorize the article. Nowadays, these articles are published, because there are no official censors. The censors are the journalists themselves.

Pro-government, pro-opposition, and independent media interpret coverage of key events differently. Pro-government and pro-opposition media often lead with stories that best serve their political affiliation. Aynur Talibova from Women's Media Watch said that most Azerbaijani media had an erroneous perception of what is the news. "I recall the day when Abu-Bakr mosque in Baku was bombed. It was same day when the president returned to Baku from China. I thought the bomb explosion would be the top story on all TV channels. But all TV channels led with a story of the president visiting a site to see newly equipped machines for garbage collecting."

Tahir Mammadov said it was unfair to downgrade television's role in informing the public in a timely manner. "When a building collapsed in Baku, two hours later we had construction experts, and even those who issued their license, arguing in a talk-show."

Pay levels of journalists differ depending on where they work. Media outlets that receive a large number of advertisements continue to thrive, whereas independent media struggled to survive; this performance impacts an outlet's ability to pay its personnel. But generally journalists are not among the well-paid in Azerbaijan. Whether pay levels are to blame for all corruption by journalists is debatable, but such corruption certainly exists. The Press Council claims that there are a large number of "racketeer media" and closed some 80 small newspapers between 2007 and 2008 that it said blackmailed people under the disguise of journalism.

Entertainment programming prevailed in five out of seven national television networks in the country. Except ANS and Public Television, all channels considerably increased their air time dedicated to, and cost of, entertainment programs. Primetime on these television channels was dominated by entertainment programs, such as various song contests. Lider TV canceled its 9:00 pm news (its latest news now goes on air at 6:30 pm). ATV has a policy of not having current affairs programs at all. However, ANS TV continued programs that discussed actual problems and political challenges of the country.

Facilities and equipment used by media vary by media type and individual outlet. In Baku, many media enjoy equipment that is modern and efficient. However, with only a few exceptions the media in the regions must make due with equipment that is antiquated and of poor quality. Most media complain about poor access to the Internet, which is both slow and expensive and hinders the work of journalists.

Here again media in the regions have it worse, with even slower connections.

Amongst television channels, ANS TV was seen as offering quality niche reporting. Among newspapers, *Zerkalo* and *Ekho* offer niche reporting on business and social issues, although the latter's reporting is perceived to be targeting "intellectuals." Panelists thought that Public Television improved its programming, especially by providing educational programs, but pace of reforms seemingly bypassed its news-making policy. Investigative reporting remains absent from Azerbaijan. The opposition papers do not investigate; they merely print rumors or innuendo. Most broadcasters are controlled by the authorities or owned by friends of the ruling party and therefore do not engage in investigative journalism.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Azerbaijan Objective Score: 1.78

This objective suffered a significant loss of 0.23, primarily due to the government's decisions to shut foreign broadcasters out of Azerbaijan and the continued polarization and politicization of key media. The latter issue also affected the assessment of news agencies, and Indicator 4 also suffered a loss. Some gains were seen in Indicators 6 and 7, transparency of ownership and a broad spectrum of social interests reflected in the media. Despite its modest gains, however, it should be noted that Indicator 6 still performed poorly and scored below the average. Overall, all of the indicators scored fairly close to the overall objective score.

Overall there is a modicum of plurality in the media, even if few individual media outlets operate in the spirit of plurality. For example, one had to check several media in order to have a complete picture of the personal attacks levied by some media, such as when pro-government Lider TV carried a series of reports attacking opposition leader Ali Kerimli and calling him gay. The main problem with this situation is that it implies a need of individuals to rely on several sources of information in order to be properly informed. In addition to the practical difficulties individuals face accomplishing this, television, the main source of news in Azerbaijan, is overwhelmingly controlled by the government or its loyalists.

Some newspapers strive to provide a second or even third side to stories. However difficulty obtaining opposing opinions affects fair reporting. For example, while opposition media refuse or find it difficult to obtain information from the government, some government media outlets choose to completely ignore the political opposition's views on issues.

It is believed that pro-government television stations have blacklist policies that determine who can be interviewed and what topics can be covered. This often leads to a misinformed audience.

Issues of media access further impede access to a plurality of news options. Access to domestic print media in regions remains problematic, as there is no timely delivery option that is inclusive of all media outlets. Poor Internet connection and high prices for Internet services is still a major problem for many citizens, especially in the regions. Tahir Mammadov said it is impossible to have broadband Internet in the regions such as Ganca city, even if you spend \$700,000 for a fiber optic cable. Rovshan Hacibeyli said access of people to information in rural areas is zero. He called it "absurd" to claim that people in the regions have access to the Internet.

Media have eloquently addressed the issue of poor access to the Internet. The president of the National Internet Forum, Osman Gunduz, and a series of articles in newspapers criticized monthly prices for 1 gigabyte unlimited ADSL service that is around 10 times more expensive than in neighboring Georgia, Russia, and Turkey. According to Gunduz, some 95 percent of Internet users in Azerbaijan use dial-up and only five percent can afford ADSL. In response, the Communications and Information Technologies Ministry promised in late 2008 that prices for Internet services will be revised in the early 2009. Starting February 1, in accordance with the Ministry's decision, many of the 30 Internet providers decreased their prices by more than double. But even after the decrease, Internet prices remained highest in the region.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Citizen access to international media is partly restricted. Viewers can watch international television channels on satellite and cable television. In 2008 the government ended broadcasts by Russian and Turkish television channels on national frequencies. This policy proved to be unpopular with Russian-speaking viewers and a large audience who regularly watched Turkish dramas. NTRC also prevented broadcasts of three foreign radio programs on national frequencies: Radio Free Europe/Radio Azadlig, Voice of America, and BBC's Azerbaijani service.

The licenses given to foreign broadcasters were seen as a democratic gesture by the government. However, right after the November 6 presidential elections, the NTRC warned the foreign broadcasters that their licenses might not be renewed. NTRC chairman Nurshirevan Maharramli said the decision was taken in order to bring Azerbaijan's national frequencies in compliance with international practices. Independent observers believe that the decision was politically motivated. Among the three radios, RFE/RL offered the most airtime and enjoyed popularity for its live, interactive talk shows and often critical of government reporting.

As of February 2009, negotiations between the US Embassy and the NTRC continued. US Ambassador Derse expressed hope that US broadcasts might resume in exchange for Azerbaijani radios broadcasts in the US. NTRC made similar offers to Russia and Turkey in 2007 in order to continue broadcasts of their channels in Azerbaijan, but with no success.

These access issues would have had a definite impact if the population as a whole mirrors the habits of the panelists. Aynur Talibova concluded that the majority of Azerbaijani citizens receive their information from outside the country, primarily Russian, Turkish, and Western television channels. Shahbaz Khuduoglu also said that his sources of information were foreign television channels. Alasgar Mammadli said that he searches in the Internet, as local media outlets fail to report in a timely manner.

In terms of the role of state media, there was a mixed perception as to what serving the public interest means. The official newspaper *Azərbaycan* has a tagline that reads the paper only publishes stories that reflect the interests of the state. The editorial leadership of *Azərbaycan* interpreted this as not printing articles that do not reflect the interests of the government. The newspaper is seen as a puppet of the government and carried out personal attacks against political opposition leaders.

Shakir Agayev said television fails to cover issues that are of public concern. "When people are killed because a building collapses, it should not be broadcast in the middle of news program. Or there is a fire in Sadarak market and televisions



do not cover it at all. I think neither public nor private media serve the public interest.” Tahir Mammadov disagreed that television fails to cover issues of public concern. “Take *Ortaq Maxrac* talk show. We heard from experts, officials, etc. There are programs like that. It is just there is a lack of them.”

Panelists agreed that there are plenty of news agencies gathering and distributing news. As Etibar Babayev put it, the problem is the quality, not the quantity. “There is no lack of news agencies. But how objective is their reporting? Lately, people are watching Xazar TV’s news because it is a different approach to news.”

The affiliation of most media outlets with various political groups narrows down their opportunity to benefits from news agencies. “For instance, [opposition] *Azadlig* newspaper does not use the [official] Azertac news agency. Even if it did use it, it wouldn’t be seen as appropriate,” Rovsan Hacibeyli said.

All television companies produce their own television programs. ANS TV continues to enjoy the highest ratings for its traditional news programs. ATV, which improved its news programs, ensured itself second place.

There was no confusion about who owns ANS TV. Knowing who owns Space TV, Lider TV, ATV, and Khazar TV continues to be a matter of rumor and assumption. Shahbaz Khuduoglu said that there is generally no transparency in media ownership. “We do not know who is behind them.” Alasgar Mammadli agreed that there is little transparency about who owns which television channel. “I know who owns ATV and Lider TV because of my own contacts. This information should be made public. If these media are meant to serve the public, those who finance and guide them also should be people who serve public interests.” He noted that the lack of transparency opens up doors to corruption, whereas media outlets should be organizations that fight corruption.

Panelists agreed that there is more transparency in ownership of newspapers, which are traditionally considered less lucrative businesses. Azerbaijani Law prohibits foreign investment in media and there are no foreign media owners and managers.

Television programs on women’s issues remain supervised by male editors, who ask their guests to share happy stories and women remain underserved. For example, while there are no women ministers in the government, the media continue to claim there is a gender balance in the government. Taboos on issues such as child labor, abortion, single women, etc., remain in place. Some disadvantaged groups enjoy their own newspapers, however no television channels offer services for more than 8,000 deaf viewers.

Several newspapers are published in the languages of ethnic minorities. Shakir Agayev said he does not encounter any problems while publishing a newspaper in the Talish language. Public Television broadcasts a series called *Azerbaijanis*. The one-hour episodes showcase culture and traditions of over a hundred minority peoples living in Azerbaijan. Aynur Talibova, famous for her television programs from various regions of Azerbaijan, said minority people find it thrilling to meet a Baku reporter who came to film their homes, schools, and cemeteries. Over 110 programs broadcast on ANS and Lider TV focus on culture, traditions, cuisine of Talishes. She said these programs are well received by general audiences.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Azerbaijan Objective Score: 1.44

The score for Objective 4 fell slightly to 1.44 due to a drop in Indicator 5, government subsidies of media. Proposals for the government to support media and continued control over advertising by the government resulted in a more negative assessment of this indicator. Indicator scores mostly fell quite close to the overall objective score.

The management of media outlets as businesses remained difficult for several reasons. The major reason is the selective distribution of advertising, which by and large bypasses independent and pro-opposition media. *Gun Seher* newspaper, after months of struggle to survive, had to close. With few exceptions, private businesses choose not to place their advertisements in pro-opposition media, fearing pressure from the government.

According to its editor-in-chief Elchin Shikhlinski, *Zerkalo* newspaper is one of the few media outlets run successfully as a business. He said the newspaper is read by decision-makers and others, and attracts advertisers who do not want to be seen as politically biased. Day.az web site is another success story. The Russian-language news agency’s advertisements are sold six months in advance. The news site is widely read and considered a reliable source of information. It outpaced television news, traditionally considered as the fastest media and enjoyed flexibility to update stories as they developed. However, on February 18 Day.az shut down for “technical problems” and several days later its sale to pro-government businessman Ilgar Guseynov was announced.

Television stations continued to be the major beneficiaries of advertising sales in the country. Advertisers said that among seven national television stations, ANS TV is believed to be the most transparent. It has documented its operations

and regularly paid taxes. It was of special importance for ANS leadership, given its closure two years ago because of allegedly airing commercials beyond the 15 percent limitation.

Newspapers are still seen as a means for political propaganda and personal ambitions rather than businesses. "In Azerbaijan people open their newspapers to satisfy their own ego. They don't care if these newspapers are sold or bring profits; they do it for a personal agenda," said Elnur Baimov.

Shahbaz Khuduoglu felt that the reason for poor business management is an absence of a functioning market and demand for advertising. Despite the fact that there are tax privileges, breaks on utilities, etc., for media outlets, successful development is not possible with sale of newspaper copies. "Media's profit should come from advertising," he said.

Etibar Babayev noted that sources for income are potentially diverse: advertisements, sponsorship, financial activities, etc. But in reality one media develops while another one cannot. "Because if there is no structure that supports the newspaper, such as a group of companies, it can not survive and develop."

Alasgar Mammadli pointed to low advertising revenue as the main reason for underperformance by media as businesses. "Because there is a monopoly in the economy, the decisions where to place advertisements are appointed from a single center. This is why there is and always will be problems in this area." Advertising revenue is believed to be controlled by the state, as major advertisers, such as banks, telecommunications, and construction companies are connected to the government. Mammadli continued, "For instance, on holidays take [pro-government] *Azərbaycan* and

[pro-opposition] *Novoye Vremya* newspapers. The first one is packed up with ads, the latter doesn't have any."

However, telecommunications giant Azercell appeared to be somewhat immune from these considerations, as its advertisements appear in independent and occasionally opposition newspapers.

Farman Nabiyev said that the situation improved in the regions, although that might be linked to the limited number of media outlets in the regions. He noted that in Mingachevir there are only two newspapers, the government's and his own *Mingecevir Isiglari* weekly. Nabiyev said there was no discrimination towards his newspaper.

Aynur Taliyeva said advertisements are produced with little knowledge of target audiences. "Those who pay for ads are guided by personal, rather than corporate interests when choosing contractors. This is why we end up with ads that are not based on proper research and are not designed for specific audiences. This explains why weather announcements are sponsored by Pal Milk and entertainment programs by Broiler Chicken," she said. Taliyeva said another reason for poor quality of advertisements is the fact that television networks try to monopolize the production of advertisements. All seven national television networks developed their own advertising production studios, whose production costs were much lower than those produced professionally.

Shakir Agayev thought the recent increase of color magazines with advertisements is a good sign. He said it could be a result of commercial companies no longer having to pay 18 percent VAT for media advertising.

In August 2008 President Aliyev signed two decrees on the occasion of National Press Day. The first decree provided one-time support for media, envisioned to be AZN 5,000 to each of more than 70 regular media outlets. The second decree laid out provisions of the "State Concept of Support for Media." This envisions the establishment of a Media Foundation that will supervise state support for the development of media. As of February 2009, little was known about the foundation. While all recipients of the support welcomed the decree, several said the most effective way to support the media would be to liberate the market and create conditions for media to develop. Countering this feeling, Etibar Babayev said, "Millions of dollars are pouring into the state budget. Why can't media benefit from it, when everybody else does?"

Audience research of media outlets is somewhat sporadic. Newspapers have their own idea about their readership based on perception rather than research. The popular daily *Yeni Musavat* said its audience was "an unhappy constituency."

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Television networks have more information about their ratings. In order to attract more advertising, television stations have routinely pointed to audience ratings produced by AGB/Nielson, an international ratings service. Television program schedules have been altered based on the findings. Thus ANS TV's traditionally primetime current affairs program *Point of View* was moved from 8 pm to 6 pm and then canceled completely. Asked whether there were political motives behind the move, ANS leadership said that audience ratings of the show had fallen drastically. Nonetheless, some television stations have reservations about the objectivity of the ratings.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Azerbaijan Objective Score: 1.60

Supporting institutions have little impact on improving the lot of media in Azerbaijan. The score for this objective fell significantly, losing 0.24 points from 1.84 last year to 1.60 this year. Driving this loss was Indicator 3, the role of NGOs. With the exception of Indicators 4 and 5, academic journalism programs and training programs for active journalists, the other indicators performed at their historically poor levels.

Several media organizations are active but possess little power to change the situation facing the media. The Journalists' Union, created in Soviet years, is nominally the largest journalist organization. The Institute of Reporters' for Freedom and Safety is vocal but perceived as pro-opposition and therefore not supported by many journalists. The Women's Journalist Union is new and has limited resources to reenergize the sector.

The Media Council bills itself as a self-regulatory body able to reconcile opposing sides in cases of conflict between media and private companies. However, the fifth annual Congress of the Media Council appeared to be the peak of division among the media. Pro-government media representatives voted for a new leadership, allegedly following a list sent out by Aliyev's office in advance that detailed who should be on the new Executive Board. Instead of conducting an anonymous vote, the head of the Political-Social Department of the president's office Ali Hassanov personally participated at the Congress, viewing from the stage while people raised their hands to vote. Changes were made to the Media Council's charter and Aflatun Amasev became its chairman for the third time in a row, a move harshly criticized by some of his colleagues. Other critics noted that the head of the Yeni Nesl Journalists Union was left out of the Media Council, which he once helped create. No major opposition newspaper representatives became Board members. They

now characterize the Media Council as "a mouthpiece" of the government and distanced themselves. Independent observers criticized the Congress for not being fully democratic. However, Women's Media Watch campaigned for women to be represented on the Executive Board and Vusala Mahirqizi became the first woman member of the 12-person Board.

Media NGOs proved to be poorly coordinated when RFE/RL, VOA, and BBC lost their licenses. Except for separate statements by media figures denouncing the decision, there was no apparent solidarity. Similarly, the closure of independent ANS TV in November 2007 did not lead to any serious actions by the media.

Several Universities have made attempts to provide practical knowledge for students of journalism. The Slavic University opened a television and radio studio and invited a well-known television journalist and former president of Space TV to serve as its head. ANS TV initiated the opening of the US-Azerbaijan Journalism Academy together with the US Embassy in Azerbaijan. The US Embassy sponsors veteran television and radio journalists to teach journalism skills and law at the Academy. However, only a small percentage of graduates end up working as journalists, while many practicing journalists majored in other fields. The majority of journalists learn the basics on the job.

Except for ANS TV, new employee training is not present at television stations. Occasional short-term training is conducted, but not regularly. For instance, Russian television presenter Vladimir Pozner taught lectures at Space TV. OSCE sponsored training for Public Television staff by BBC's training instructors.

Azərbaycan Printing House remains the most used printing facility. Despite a number of new private print companies, formerly state-owned Azərbaycan is the cheapest. In 2008,

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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*Azərbaycan* newspaper offered color print newspapers, and several others switched from black and white to color. According to its editor-in-chief Bakhtiyar Sadikhov, the total number of advertisements immediately went up. Management raised prices for color advertisements, allowing it to cover the increased expenses demanded by color printing.

Several publishers remained skeptical. Editor-in-chief of *Azadlıq* newspaper Azer Ahmadov said no matter how good the newspaper looked, it would not attract advertisers. "Advertisers do not place their ads in *Azadlıq* for political reasons. Switching to color would not make any difference. Further, our audience will not stop reading us because we are black-and-white," he said.

Media distribution remained restricted and often political. Due to the selective delivery of newspapers by pro-government companies such as Azermetbuatayim, there is no regular delivery of newspapers to the regions. Even in Baku there is a selective distribution of independent and opposition newspapers. For example, the chief of Baku's subway system banned the sale of opposition newspapers within the system, claiming he disagreed with what they wrote. The government has also directly interfered with distribution in the past, confiscated news kiosks of the private Qaya distribution company. These have not been returned despite a presidential decree ordering their return in 2005.

## List of Panel Participants

**Agayev Shakir**, editor-in-chief, *Novoye Vremya* newspaper, Baku

**Rovshan Hacibeyli**, editor, *Azadlıq* newspaper, Baku

**Maqsad Nur**, executive director, Region TV, Khachmaz

**Etibar Babayev**, director, Baku Slavic University Television Studio, Baku

**Vusal Behbudov**, democratization officer, OSCE, Baku

**Farman Nabiye**, editor-in-chief, *Mingachevir Ishiglari* newspaper, Mingachevir

**Şahbaz Khuduoglu**, director, Chap Evi Publishing House, Baku

**Aynur Talibova**, specialist, Women's Media Watch, Baku

**Alasgar Mammadli**, lawyer, IREX, Baku

**Tahir Mammadov**, head, Public Television and Radio Public Relations Department, Baku

## Moderator and Author

**Sevinc Osmanqizi**, chairwoman, Women's Media Watch; chairwoman, The Network of Women Journalists, Baku

## Observer

**Aliyeva Nargiz**, assistant, Women's Media Watch, Baku

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